

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31341 of 2016

Arising Out of PS.Case No. -1682 Year- 2014 Thana -COMPLAINT CASE District- BANKA

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Shahid Ansari, S/o Rasul Ansari, resident of village- Hasai, Milki Tola,
Police Station- Dhoraiya, District- Banka

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Sri Jitendra Kumar Roy 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The basis accusation is of torture for non-fulfillment of dowry demand.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the complainant and the petitioner is ready to keep her as a wife with full dignity and honour. Statement to that effect has been made in para-8 of the petition which reads as follows:-

“That it is humbly stated and submitted here that as a matter of fact that the complainant herself left her matrimonial house on her sweet will, however, the petitioner is always ready to keep her with him with love and dignity.”

It is further submitted that only summons has been issued to the petitioner. Though, no statement to that effect has been made in the petition.

Let the learned court below consider the prayer for regular bail of the petitioner in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in *PLJR 2015(3) 806*, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1682 of 2014, pending in the court of learned Sub-Divisional Judicial Magistrate, Banka

With the above observation this application is disposed of.

It is expected that learned court below will dispose of the application for regular bail preferably on the same day in view of the stand of the petitioner as quoted above.

(Dinesh Kumar Singh, J)

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